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## FACSIMILE COVER SHEET

To: Commissioner for Patents for Examiner Vincent Lai Group Art Unit 2181	Facsimile No. 571/273-8300
From: Michele Morrow Legal Assistant to Francis Lammes	No. of Pages Including Cover Sheet: 17
Enclosed herewith: <ul style="list-style-type: none"><li>• Transmittal; and</li><li>• Response to Office Action.</li></ul>	
Re: Application Serial No. 10/757,248 Attorney Docket No. AUS920030544US1	
Date: Wednesday, July 12, 2006	
Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of: DeWitt, Jr. et al.**

**Serial No.: 10/757,248**

**Filed: January 14, 2004**

### For: Method and Apparatus for Counting Instruction Execution and Data Accesses to Identify Hot Spots

**Group Art Unit: 2181**

**Examiner: Lai, Vincent**

**Attorney Docket No.: AUS920030544US1**

**Certificate of Transmission Under 37 C.F.R. § 1.8(a)**

I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (571) 273-8300 on July 12, 2006.

**By:**

Michele Morrow

**35525**

**PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER**

**TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Sir:**

**ENCLOSED HEREWITH:**

- **Response to Office Action**

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

Francis Lammes

Francis Lammes

**Registration No. 55,353**

**AGENT FOR APPLICANTS**

**Duke W. Yee**

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Michele Morrow

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PATENT TRADEMARK OFFICE  
CUSTOMER NUMBERCommissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

## RESPONSE TO OFFICE ACTION

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In response to the Office Action of April 19, 2006, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 9 of this paper.